

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/741,821
Applicant : Frederic ROELENS
Filed : December 19, 2003
TC/A.U. : 2614
Examiner : Michael P. CHOI
Docket No. : 02-MGE-349
Customer No. : 23334
Confirmation No.: 2611
For : *PROCESS AND DEVICE FOR DECODING MPEG PICTURES
AND FOR DISPLAYING THEM IN REWIND MODE, VIDEO
DRIVER CIRCUIT AND DECODER BOX INCORPORATING
SUCH A DEVICE*

**PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: Office of Petitions, Tel. Number (703) 305-9282

Sir:

Applicant hereby petitions for revival of the above-identified patent application.

Table Of Contents For Each Section Of this Petition
Petition (3 pages) - Begins on page 2.
Exhibit A: (1 Page) – Notice of Abandonment Dated January 17, 2008 - Attached
Exhibit B (2 Pages) - Request with Post Card for Status Dated January 26, 2006 - Attached
Exhibit C (1 Page) – USPTO First Action Prediction via PAIRS dated February 9, 2006 - Attached
Exhibit D (1 Page) - Print out from Docketing System - Attached.

CERTIFICATE OF TRANSMISSION

In accordance with 37 CFR 1.8, I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted or submitted under electronics filing system to the U.S. Patent and Trademark Office on the date: January 22, 2008

By: Jon Gibbons

Signature: Jon Gibbons

(Applicant, Assignee, or Representative)

In accordance with 37 CFR §1.137 and §1.181, the Applicants respectfully petition the Commissioner for withdrawal of the holding of Abandonment. The Notice of Abandonment, dated January 17, 2008 (see Exhibit A), states that the reason for Abandonment is *"Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance"*.

On January 26, 2006, as part of our normal business practice to ensure that an application is not lost within the USPTO, we sent a Request for Status around the three-year anniversary of the filing date. Since this case was originally filed on December 19, 2003, we sent a Request for Status dated January 26, 2006 (see Exhibit B). As part of our normal business practice, since we did not receive a stamped return post card, on February 9, 2006 using the Private PAIR system at the USPTO, we requested a First Office Action Prediction. Through Private PAIR on February 9, 2006, the Customer Service Office in Technology Center 2600 response with an estimate, the we *"will receive an Office Action in approximately 30 months"* from the date of the letter (See Exhibit C). The estimate of 30 months from February 9, 2006 is August 9, 2008. Part of our normal business procedure is to docket another Request for Status or Status Check six-months after the earliest estimate from the USPTO, in this case February 9, 2009 (See Exhibit D illustrating the dates in our docketing system).

Subsequent to the February 9, 2006 communication from the USPTO, the Applicant's representatives never received any follow-up (written or telephone) communications from the USPTO other than this January, 17, 2008 Notice of Abandonment (See Exhibit A). From the date of filing until the receipt of the Notice of Abandonment, the Applicant's representative maintained the same mailing address and customer number.

Applicants believe that this petition is a non-fee petition. However, if it should be determined that a fee is required, please charge any fee that may be required to Deposit Account No. **50-1556**.

Applicant certifies that the entire delay in filing the required reply from the due date for the reply until the filing of this grantable petition under 37 C.F.R. § 1.137(b) was

unintentional. Because the application was filed after June 8, 1995, a terminal disclaimer is not required for revival.

In the alternative, in the highly unlikely event that this petition is not granted, the Applicants respectfully request that this petition be considered a petition to revive an unintentionally abandoned patent application, and accordingly please apply the payment of the required issue fee and publication fee from the Deposit Account **50-1556** under 35 USC §41(a)(7) and MPEP 711.03(c) as an unintentionally abandoned patent application due to Applicants detrimental reliance on the USPTO's monthly deposit account statement indicating there were sufficient funds to pay the required issue fee and publication fee.

Respectfully submitted,

Date: January 22, 2008

By: /Jon A. Gibbons/
Jon A. Gibbons
(Reg. No.37,333)
Attorney for Applicant

FLEIT KAIN GIBBONS
GUTMAN BONGINI & BIANCO P.L.
One Boca Commerce Center
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/741,821	12/19/2003	Frederic Roelens	02-MGE-349	2611

7590 01/17/2008
FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI
& BIANCO P.L.
ONE BOCA COMMERCE CENTER
551 NORTHWEST 77TH STREET, SUITE 111
BOCA RATON, FL 33487

EXAMINER	
CHOI, MICHAEL P	
ART UNIT	PAPER NUMBER
2621	
NOTIFICATION DATE	DELIVERY MODE
01/17/2008	ELECTRONIC

Notice of Abandonment

This application is abandoned in view of:

1. ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on _____.
(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the period for reply (including a total extension of _____ month(s)) which expired on _____.
(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of:
(1) a timely filed amendment which places the application in condition for allowance;
(2) a timely filed Notice of Appeal (with appeal fee);
(3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box e below).
(d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
(b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____.
The publication fee, if required by 37 CFR 1.18(d), is \$_____.
(c) ☒ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
(a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
(b) ☐ No corrected drawing have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

RECEIVED

JAN 17 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

FLEIT, KAIN et al.

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/741,821

12/19/2003

Frederic Roelens

02-MGE-349

2611

7590

01/17/2008

FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI
& BIANCO P.L.

ONE BOCA COMMERCE CENTER

551 NORTHWEST 77TH STREET, SUITE 111

BOCA RATON, FL 33487

EXAMINER

CHOI, MICHAEL P

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

01/17/2008

ELECTRONIC

Notice of Abandonment

This application is abandoned in view of:

1. ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the period for reply (including a total extension of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of:
 - (1) a timely filed amendment which places the application in condition for allowance;
 - (2) a timely filed Notice of Appeal (with appeal fee);
 - (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____, but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box e below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
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 - (b) ☐ No corrected drawing has been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

DOCKETED

01-17-081 MMW

1/17/08 1 JB

**USPTO: PLEASE VERIFY, STAMP DATE
RECEIVED AND RETURN**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Serial No. 10/741,821

Filing Date: December 19, 2003
For:

***PROCESS AND DEVICE FOR DECODING MPEG PICTURES
AND FOR DISPLAYING THEM IN REWIND MODE, VIDEO
DRIVER CIRCUIT AND DECODER BOX INCORPORATING
SUCH A DEVICE***

Enclosed are the following:

Request for Status (in duplicate); and copy of Official Filing Receipt

Docket No. 02-MGE-349

210-P0046

January 26, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Frederic ROELENs)	Applications Branch
Serial No.: 10/741,821)	
Confirmation No.: 2611)	
Filed: December 19, 2003)	
For: <i>PROCESS AND DEVICE FOR</i>)	
<i>DECODING MPEG PICTURES AND FOR</i>)	
<i>DISPLAYING THEM IN REWIND MODE,</i>)	
<i>VIDEO DRIVER CIRCUIT AND DECODER</i>)	
<i>BOX INCORPORATING SUCH A DEVICE</i>)	
_____)	

REQUEST FOR STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

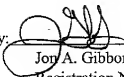
Sir:

Applicant kindly requests status on the above-identified application. No Office Action has been received since the application was filed on December 19, 2003 (over 2 years ago).

A copy of the filing receipt and a duplicate copy of this request are enclosed.

Respectfully submitted,

Date: 1/26/06

By: 
Jon A. Gibbons
Registration No. 37,333
Attorney for Applicant

Fleit, Kain, Gibbons, Gutman, Bongini & Bianco P.L.
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210-P0046
Status req.wpd



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210-700-46

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& BIANCO P.L.
ONE BOCA COMMERCE CENTER
551 NORTHWEST 77TH STREET, SUITE 111
BOCA RATON, FL 33487

DATE: 02/09/2006

To: Applicant of Serial Number 10741821
Filed on 19-DEC-2003
(Art Unit 2616)

It is estimated that this application will receive an Office action in approximately 30 months. This is an estimate that is based on the current inventory level of applications filed in this art area and the current staffing levels in this Art Unit. The USPTO is dedicated to minimizing first action and total pendency, and we are targeting resources to help address backlogs in art areas with high new application filings. Thank you for your inquiry.

Customer Service Office in Technology Center: 2600

Phone Number: 571-272-2600
Central Fax Number: 571-273-8300

Applicant/Attorney Contact Information:

Phone Number: 305-379-9000
Fax Number:

FKGGBB# 210-P0046

PRINTED ON: 1/17/2008

COUNTRY	US	UNITED STATES	TITLE		PRIOR	12/20/2002	
NEW/CON	CEO	SERIAL#	10741,821	PROCESS AND DEVICE FOR DECODING MPEG PICTURES AND FOR DISPLAYING THEM IN REWIND MODE, VIDEO DRIVER CIRCUIT AND DECODER BOX INCORPORATING SUCH A DEVICE	MAIL	12/19/2003	
RELATED	n/a	PATENT#			FILE	12/19/2003	
TYPE	UTL	STATUS	PUBLISHED		PUBL	9/30/2004	
CLIENT	210	STMicroelectronics S.A.	1		CREF	02-MGE-349	
AGENT	US28	Stephane Verdure		AREF	EMB/MGO-FR0216328	ISSUE	
					1ST	12/19/2003	
					EXP	12/19/2003	

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
DC	N	FIRST DRAFT TO ASSOC	9/1/2003	0 M	9/1/2003		9/1/2003	0	9/8/2003	1 M	Y	Y	Y
DO	N	APPL FILING DEADLINE	12/20/2002	12 M	12/20/2003		12/20/2003	0	12/19/2003	1 M	Y	Y	Y
PC	N	POST CARD CHECK	12/19/2003	1 M	1/19/2004		1/19/2004	0	1/6/2004	0 M	N	Y	Y
FS	N	FILE RCPT STATUS CHK	12/19/2003	4 M	4/19/2004		4/19/2004	0	4/5/2004	0 M	N	Y	Y
AS	Y	ASSIGNMENT	6/1/2004										
G2	N	MISSING PARTS (2 MO)	4/1/2004	2 M	6/1/2004	5	11/1/2004	0	6/1/2004	1 M	N	Y	Y
RECEIVED EXECUTED PAPERS FROM ASSOC. ON 4/30/04													
DS	N	INF DISCLOSURE STMT	12/19/2003	6 M	6/19/2004		6/19/2004	0	6/1/2004	1 M	N	Y	Y
RECEIVED PREPARED IDS AND COPIES OF PRIOR ART FROM ASSOC. ON 2/3/04													
AS	N	ASSIGNMENT	6/1/2004	1 M	7/1/2004		7/1/2004	0	6/3/2004	0 M	N	Y	Y
PC	N	POST CARD CHECK	6/1/2004	1 M	7/1/2004		7/1/2004	0	6/10/2004	0 M	N	Y	Y
CY	N	CLAIM PRIORITY	12/20/2002	20 M	8/20/2004		8/20/2004	0	6/1/2004	1 M	Y	Y	Y
PU	N	PUBLICATION	9/30/2004	0 M	9/30/2004		9/30/2004	0	10/13/2004	1 M	Y	Y	Y
PROJECTED PER USPTO													
PC	N	POST CARD CHECK	1/1/2005	1 M	2/3/2005		2/3/2005	0	1/17/2005	0 M	N	Y	Y
RE	N	RESPONSE TO OA	12/17/2004	3 M	3/17/2005	3	6/17/2005	0	1/3/2005	1 M	Y	Y	Y
RESPONSE TO NOTICE TO FILE REFERENCES TO IDS													
PC	N	POST CARD CHECK	1/26/2006	1 M	2/26/2006		2/26/2006	0	2/6/2006	0 M	N	Y	Y
WA	N	REQ WITHDRAWL OF ABND	1/17/2008	1 M	2/17/2008		2/17/2008	0		0 M	Y	Y	Y
SC	N	STATUS CHECK	12/19/2003	62 M	2/19/2009		2/19/2009	0		0 M	N	Y	Y
AWAITING FIRST OFFICE ACTION; STATUS REQUEST MAILED 1/26/06; OA EXPECTED 2/08													

INVENTORS	ASSIGNEES
Frederic ROELENS	STMicroelectronics SA

PRIOR APPLICATIONS				TITLE / DESCRIPTION	TYPE
REFERENCE#	CNTRY	SERIAL#	FILED		
	FR	02 16328	12/20/2002		APPL

please NED ?
give to you. Thanks.
Marina